REMARKS

Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

Claims Status

No claims have been amended. Claims 1-14, 17, 19, 22-24, 27-29, 32, 34, 38 and 40 have been cancelled, without prejudice. No new claims have been added. Therefore, claims 15, 18, 20-21, 25-26, 30-31, 33, 35-37, 39 and 41-47 remain pending for examination.

35 U.S.C. § 103 Rejection

Claims 15-16, 20-21, 30-31, 35-37 and 41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Viswanath, et al., U.S. Patent No. 7,206,827 ("*Viswanath*") in view of Jung, et al., U.S. Patent No. 6,308,208 ("*Jung*") and further in view of Gorman, et al., U.S. Patent No. 6,795,791 ("*Gorman*").

Claim 15 recites:

A multi-service monitoring system comprising:
computer server systems having a cluster of application servers communicatively coupled on a computer network to serve software applications over the computer network to a plurality of computer client systems, each of the application servers comprising server nodes, wherein each computer server system including an application server having:
an administration service to generate runtime management beans ("MBeans"), each runtime MBean associated with a server node and one or more resources associated with the server node, each runtime MBean collecting monitoring data for its one or more associated resources and reporting the monitoring data to a corresponding monitor MBean; and
a monitor service in communication with the administration service, the monitor service to generate monitor MBeans, each monitor MBean being directly mapped to a corresponding runtime MBean and indirectly mapped to a resource associated with the corresponding runtime MBean, and each monitor MBean having a resource identifier to identify its corresponding runtime MBean.
(emphasis added)

Viswanath discloses "one or more components of the administration framework from meta-information describing persistently stored configuration information." (*Viswanath*, abstract). *Viswanath* further discloses "the meta-information may be accessed by generator mechanism to generate beans. *Beans may provide a bean representation* of the configuration data of the backend persistent store." (*Viswanath*, col. 10, ln. 31-35; emphasis added). *Viswanath* further discloses "*generate a bean for each corresponding element in meta-information*. Bean may represent every element in the meta-information file." (*Viswanath*, col. 10, ln. 51-54; emphasis added).

Viswanath merely mentions "*beans*" and "*bean representation*", but it does not teach or reasonably suggest employing two types of MBeans, such as runtime MBeans and monitor MBeans to perform resource monitoring as recited by claim 15. As the Examiner acknowledges, *Viswanath* does not explicitly disclose "each runtime MBean collecting monitoring data for its one or more resources and reporting the monitoring data to a corresponding monitor MBean . . . each monitor [M]Bean having a resource identifier to identify its corresponding runtime MBean" (*Office Action*, mailed 10/27/09, pg. 3). However, the Examiner relies on *Jung* for the alleged support.

Jung relates to an "*observer-observed relationship*" in which a cell refers to a *database server* (such as a computer system) that is construed as a "master resource" to "'observe' other cells or it may be observed by another cell" (*Jung*, col. 2, ln. 5-25; emphasis added). Stated differently, using *Jung*'s technique, *a mater computer system observes servant computers system* and, in some cases, *even the master computer system is observed by another computer system*. Note that *Jung does not mention or employ any type of beans* and, consequently, does not teach or reasonably suggest "each _runtime MBean collecting monitoring data_ for its one or more associated resources and _reporting_

the monitoring data to a corresponding monitor MBean" and further "each monitor

MBean being *directly mapped* to a corresponding runtime MBean and *indirectly mapped*

to a resource associated with the corresponding runtime MBean, and each monitor

MBean having a *resource identifier* to identify its corresponding runtime MBean" as

recited by claim 15 (emphasis added).

  Viswanath merely *refers to beans*, but does not teach or reasonably suggest

employing MBeans (specifically, runtime and monitor MBeans) for monitoring tasks as

recited by claim 15, while *Jung* neither employs nor anticipates employing any type of

beans. Hence, *Jung* does not make up for the deficiencies of *Viswanath*.

  The Examiner acknowledges certain deficiencies of *Viswanath* and *Jung*, such as

that they do not "explicitly disclose the Beans are MBeans, wherein each monitor MBean

being directly mapped to a corresponding runtime MBean and indirectly mapped to a

resource associated with the corresponding MBean and its associated runtime MBean",

but relies on *Gorman* for the alleged support (*Office Action*, mailed 04/27/10, pg. 4).

Applicants respectfully disagree with the Examiner's characterization of *Gorman*.

  Gorman discloses a *conventional MBean server* 106 on the agent side 102. As

shown in Figure 1 of *Gorman*, monitor 122, query 124, and JMX resource 108 are all

directly connected to MBean server 106 (*see Gorman*, Figure 1, col. 3, ln. 23-29).

Gorman's **direct connection** of monitor, query, and JMX resource with their MBean

server is **contrary** to each *monitor MBean* being *directly mapped* to a corresponding

runtime MBean and *indirectly mapped* to a *resource* associated with the corresponding

runtime MBean such that each runtime MBean collects monitoring data for its associated

resource and reports the monitoring data to a corresponding monitor MBean as recited by

claim 15. Accordingly, for at least reasons set forth above, Applicants respectfully

request the withdrawal of the rejection of claim 15 and their dependent claims.

Claims 30 and 36 contain limitations similar to those of claim 15. Accordingly, for at least reasons set forth above with reference to claim 15, Applicants respectfully request the withdrawal of the rejection of claims 30 and 36 and their dependent claims

Claims 18, 33 and 39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Viswanath*, *Jung and Gorman* as applied to claim 15, 30 and 36, respectively above, in view of Ismael, et al., U.S. Patent No. 6,061,721 (*"Ismael"*).

Claims 18, 33 and 39 depend from one of claims 15, 30 and 36 and thus include all the limitations of the corresponding base claim. Accordingly, for at least the reasons set forth above with respect to claim 15 and *Viswanath*, *Jung* and *Gorman*. Applicants respectfully request the withdrawal of the rejection of claims 18, 33 and 39.

Claims 25-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Viswanath*, *Jung and Gorman* as applied to claim 15 above, in view of Haller, et al., U.S. Patent Publication No. 2004/0244001 (*"Haller"*).

Claims 25-26 depend from claim 15 and thus include all the limitations of its corresponding base claim. Accordingly, for at least the reasons set forth above with respect to claim 15 and *Viswanath*, *Jung* and *Gorman*, Applicants respectfully request the withdrawal of the rejection of claims 25-26.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: June 16, 2010   /Aslam A. Jaffery/
                             Aslam A. Jaffery
                             Reg. No. 51,841

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1030
(303) 740-1980